

BOARD OF SUPERVISORS COUNTY OF TUOLUMNE

July 17, 2012

9:00 a.m.

The Board of Supervisors of the County of Tuolumne, State of California, met in regular session on the foregoing date with Supervisors: Richard H. Pland, Chair, Randy Hanvelt, Vice Chair; Elizabeth Bass, Evan Royce, and John L. Gray, being present. Also present were County Administrator Craig L. Pedro; Gregory J. Oliver, County Counsel; and Alicia L. Jamar, Chief Deputy Clerk of the Board.

Absent: None

Supervisor John Gray led the Pledge of Allegiance.

Oral Comm-
CA State Fair

Nanci Sikes, Tuolumne County Visitors' Bureau Director and Sandy Gordon, Marketing Manager of the Tuolumne County Visitor's Bureau, addressed the Board and presented the ribbons won at the California State Fair.

Oral Comm-
Comm on Aging
Sr. Awards

Cathie Peacock of the Tuolumne County Commission Aging reported on the Tuolumne County Seniors Award ceremony and she read the names of the recipients.

Consent Calendar

On motion of Supervisor Gray, seconded by Supervisor Bass, the following items on the Consent Calendar were approved by unanimous vote.

Minutes

1. Minutes of the meeting held June 19, 2012.

Conflict of Interest
Sheriff & TPPA

2. Approving the Amendment to the Conflict of Interest Code for the Sheriff's Office and Tuolumne Public Power Agency.

Surplus

3. Declaring various equipment as not required for public use and surplus, authorizing the Deputy Purchasing Agent to dispose of the property through a one day sale to be held on August 4, 2012 at the Boat Patrol Yard located at 10915 N. Airport Road in Columbia, California.

Sierra Conserv.
Ctr Citizens
Advisory Comm
Nomination

4. Approving the nomination of Michael Knowles, District Attorney to serve the remainder of the two year term of Donald Segerstrom on the Sierra Conservation Center's Citizens' Advisory Committee.

CIP-L&J Ctr
NOC

5. Approving a Notice of Completion for the Law and Justice Center Infrastructure Project with Sierra Mountain Construction, Inc., authorizing the Chair to sign.

Assessor-Record
Annual Rpt.
2012-13

Ken Caetano, Assessor-Recorder requested consideration of accepting the County Assessor-Recorder's Annual Report for Fiscal Year 2012/13 and responded to questions from the Board.

It was moved by Supervisor Gray, seconded by Supervisor Bass, and carried by unanimous vote, accepting the County Assessor-Recorder's Annual Report for Fiscal Year 2012/13.

Proclamation-
Smart Irrigate Mo

Rebecca Miller-Cripps, requested consideration of proclaiming July 2012 as Smart Irrigation month in Tuolumne County, and responded to questions from the Board.

On motion of Supervisor Hanvelt, seconded by Supervisor Bass, the following resolution was adopted by unanimous vote.

Resolution No. 43-12

Proclaiming July 2012 as Smart Irrigation month in Tuolumne County

GCSD-Ltr
Re: Fire Protect
in Groveland

Craig Pedro, County Administrator, requested consideration of sending correspondence to Brian Kirk, Calaveras/Tuolumne Unit Chief requesting him to prepare a formal proposal for fire protection services for Groveland Community Service District (GCSD) and responded to questions from the Board.

Gary Mello, General Manager of GCSD, and Mike Egner addressed the Board.

Ms. Frank responded to questions from the Board.

It was moved by Supervisor Gray, seconded by Supervisor Hanvelt, and carried by unanimous vote, to approve to direct staff to send correspondence to Brian Kirk, Calaveras/Tuolumne Unit Chief requesting him to prepare a formal proposal for fire protection services for Groveland Community Service District (GCSD).

BOS 2nd Qtr
Rpt-2012

Mr. Pedro requested consideration of approving the 2nd Quarter Status Report on the 2012 Board of Supervisors Goals and responded to questions from the Board.

Beverly Shane, Community Resources Agency Director, addressed the Board and gave an update on AB890.

Discussion ensued.

It was moved by Supervisor Gray, seconded by Supervisor Bass, and carried by unanimous vote, to approve the 2nd Quarter Status Report on the 2012 Board of Supervisors Goals.

TPPA-JPA
Amend Direction

The Board recessed and reconvened as the Tuolumne Public Power Agency (TPPA) at 9:45 a.m.

Kathleen Haff, Tuolumne Public Power Agency Deputy Director, requested consideration of approving taking action to prepare an amendment to the Joint Powers Agreement, introduce special legislation and pursue second tier membership to TPPA to facilitate full utilization of New Melones power entitlement and responded to questions from the Board.

Mr. Pedro responded to questions from the Board.

It was moved by Supervisor Bass, seconded by Supervisor Gray, and carried by unanimous vote, to direct staff to pursue amending the Joint Powers Agreement, introduce special legislation and pursue a second tier membership to the TPPA to facilitate full utilization of New Melones power entitlement.

The TPPA recessed and reconvened as the Board at 9:56 a.m.

Solid Waste
Budget

Ms. Shane requested consideration of approving: **1)** an amendment to the FY 2012-13 Recommended Budget for Solid Waste by recognizing \$165,000 in State Storm Damage Reimbursements, decreasing Contingencies by \$55,000, and increasing appropriations for Special Departmental Expense by \$220,000; **2)** approving plans, notice to bidders, special provisions, proposal and contract (bid book) for the Jamestown Landfill Storm Damage Repair Project; and **3)** issuing a call for bids and announcing that a 4/5 vote is required, and responded to questions from the Board.

Gregory Oliver, County Counsel, responded to questions from the Board on whom would hold the liability.

It was moved by Supervisor Hanvelt, seconded by Supervisor Bass, and carried by unanimous vote, to approve **1)** an amendment to the FY 2012-13 Recommended Budget for Solid Waste by recognizing \$165,000 in State Storm Damage Reimbursements (1130-404100-459120), decreasing Contingencies by \$55,000 (1130-404100-691110), and increasing appropriations for Special Departmental Expense (1130-404100-528110) by \$220,000; **2)** approving plans, notice to bidders, special provisions, proposal and contract (bid book) for the Jamestown Landfill Storm Damage Repair Project; and **3)** issuing a call for bids on August 9, 2012 at 2:00 p.m. at the Community Resources Agency located at 48 W. Yaney Avenue, Sonora, California.

Presentation
HSA-Personnel

Ann E. Connolly, Human Services Agency Director, addressed the Board and gave a presentation on on Human Services Agency personnel changes incorporated in the FY 2012/13 Recommended Budget and responded to questions from the Board.

Discussion ensued.

No action was required.

Implement So
Cnty Ambulance
Zone Tax and
11/6/12 Ballot

Steve Boyack, Assistant Human Services Agency Director, requested consideration of implementing an ambulance tax in the South County Ambulance Zone from July 1, 2013 through June 30, 2018 subject to voter approval and placing the South County Ambulance Zone tax on the November 6, 2012 ballot and responded to questions from the Board.

Discussion ensued.

On motion of Supervisor Gray, seconded by Supervisor Hanvelt, the following resolutions was adopted by unanimous vote.

Resolution No. 44-12

Placing the South County Ambulance Zone tax on the November 6, 2012 ballot.

Resolution No. 45-12

Implementing an ambulance tax in the South County Ambulance Zone subject to voter approval.

The Board recessed at 10:44 a.m. and reconvened at 10:53 a.m.

Agree-Kennedy
Meadows

Daniel Richardson, Deputy County Administrator and Carlyn Drivdahl, Deputy County Counsel, requested consideration of approving the agreements associated with the County of Tuolumne becoming the property donee of the 240 acre Kennedy Meadows property and responded to questions from the Board.

Allene Zanger, Executive Director of the Stewardship Council and Ellie Routt, Executive Director of Mother Lode Land Trust; Dylan George, Government Relations Representative of Pacific Gas & Electric (PG&E) addressed the Board responded to questions from the Board.

It was moved by Supervisor Royce, seconded by Supervisor Hanvelt, and carried by unanimous vote, to approve the agreements associated with the County of Tuolumne becoming the property donee of the 240 acre Kennedy Meadows property and authorizing the Chairman to sign upon approval of the documents by the Stewardship Council.

Presentation-TC
Comm on Aging

Carleton Penwell addressed the Board and gave a presentation Tuolumne County Commission on Aging and responded to questions from the Board.

Discussion ensued.

No action was required.

- Reports-Bass** Supervisor Bass reported that on July 6 and July 9th, she attended a meeting on a public/private partnership; on July 10th she attended a Behavioral Health Advisory Committee meeting and a Solid Waste Committee meeting; on July 11th, she attended a meeting with the Director of the Sonora Area Foundation; and on July 12th, she attended a Commission on Aging Senior Volunteer Awards ceremony.
- Reports-Gray** Supervisor Gray reported that on July 5, 2012, he presented the ambulance keys to Groveland staff; on July 10th, he attended a Catholic Charities meeting and a Solid Waste Committee meeting; on July 11th, he attended a Southwest Interface Team (SWIFT) meeting and a Tuolumne County Transportation Council (TCTC) meeting; on July 12th, he attended the Yosemite Partners meeting; and on July 16th, he attended a Board of Supervisors Transportation Committee meeting.
- Reports-Pland** Supervisor Pland reported that on July 5, 2012, he attended the Finance Committee meeting; on July 13th, he attended a memorial service for Bill Pindola; and on July 16th, he attended the Board of Supervisors Transportation Committee meeting and Governmental Affairs Council (GAC) meeting.
- Reports-Hanvelt** Supervisor Hanvelt reported that on July 4, 2012, he attended the Independence Day Parade in Columbia and attended the Revolution Rally; on July 5th, he met with Larry Cope, Director of the Tuolumne County Economic Development Authority (TCEDA), and attended the Finance Committee meeting; on July 6th, he met with constituents and met with Mr. Cope; on July 9th, he attended the Farm Bureau meeting and met with Mr. Cope; on July 10th, he attended the Natural Resources Committee meeting; on July 11th, he attended the Tuolumne County Real Estate Association meeting; Tuolumne County Transportation Council (TCTC) and TCTA meeting; on July 12th he met with constituents and attended a Sons In Retirement (SIR) meeting; on July 13th, he met with constituents; and met with Pete Kampa of Tuolumne Utilities District (TUD); on July 14th he attended the Death Ride Hospitality in Hermit Valley ; on July 15th, he went to the Mother Lode Fair and attended a Mother Lode Job Training meeting and Sonora City Council meeting and did some recruiting for the Tuolumne County Youth Commission.
- Reports-Royce** Supervisor Royce reported that on July 4, 2012, he attended the Revolution Rally; on July 7th, he attended the Strawberry Property Owners Association meeting; on July 12th, he met with constituent; on July 13th, he met with staff from Sierra Pacific Industries (SPI); and on July 14th, he attended a Twain Harte Homeowners Association meeting.

Reports-Pedro	Mr. Pedro reported on the status of the County and State Budget and Tuolumne County Grand Jury Reports.
Reports-Oliver	Mr. Oliver announced his retirement from Tuolumne County as County Counsel, effective March 12, 2013.
Reports-Jamar	Alicia Jamar, Clerk of the Board, announced that on July 23 rd , she will be serving at the Tuolumne County booth at the State Fair as a County as a representative of Tuolumne County.
	The Board recessed at 12:04 p.m. and reconvened at 1:30 p.m.
CDGB-Annual Guarantee Performance Rpt.; Select 2013 Cycle	<p>Supervisor Royce declared a conflict of interest and left the dais at 1:30 p.m.</p> <p>Public hearing was declared open to consider approving: 1) the submission of the Community Development Block Grant (CDBG) Annual Guarantee Performance Reports for grant #10-EDEF-7270 for the Enterprise Fund (\$300,000), grant #08-EDEF-5790 for the Jamestown Facade Program (\$300,000), grant #10-STBG-6742 for the food bank operations (\$400,000) and the County's Program Income Revolving Loan Fund; and 2) selection of the CDBG projects for the 2013 Cycle.</p> <p>Terry Cox, Cox Consulting, Inc., presented the staff report and responded to questions from the Board.</p> <p>Maureen Frank, Deputy County Administrator, responded to questions from the Board.</p> <p>Lee Kimball of Amador-Tuolumne Community Action Agency (ATCAA) Food Bank spoke neither for nor against.</p> <p>No one wished to speak, the public hearing was declared closed.</p> <p>It was moved by Supervisor Bass, seconded by Supervisor Gray, and carried by 4-0 vote with Supervisor Royce being absent, to approve staff reports and authorize the submission to the State Department of Housing and Community Development and direct staff to initiate a Request for Proposal if eligible to apply.</p> <p>Supervisor Royce returned to the dais at 1:50 p.m.</p> <p>Sheila Shanahan, Housing Program Coordinator, requested consideration of referring an ordinance amending Chapters 17.04, 17.65 and 17.66 of the Tuolumne County Ordinance Code relative to Inclusionary Housing and a Resolution establishing incentives for the provision of Inclusionary Housing to the California Department of Housing and Community Development (HCD) for a determination of compliance with the Tuolumne County Housing Element, and to</p>

the Planning Commissions for review and recommendation after conducting noticed public hearings. The ordinance would convert the County's existing mandatory Inclusionary Housing Ordinance into a voluntary incentive based program and responded to questions from the Board.

Ms. Shane responded to questions from the Board.

Ron Kopf and Mark Banks of the Tuolumne County Building Industry, addressed the Board.

Ms. Drivdahl responded to questions from the Board.

Betsy Hardin of Habitat for Humanity and George Segarini, President/CEO of the Tuolumne County Chamber of Commerce, addressed the Board.

Ms. Shane responded to questions from the Board.

Mr. Pedro addressed the Board.

It was moved by Supervisor Hanvelt, seconded by Supervisor Royce, to refer the proposed amendments to Ordinance amending Chapters 17.04, 17.65 and 17.66 of the County Ordinance Code relative to Inclusionary Housing and the proposed Resolution establishing incentives for Inclusionary Housing to the California Department of Housing and Community Development (HCD) for a determination of consistency with the Tuolumne County Housing Element, and if HCD determines that the proposal is in compliance, then the proposed amendments would be scheduled for consideration by the Planning Commissions for recommendation before being brought back to your Board for final adoption. If HCD does not approve the change, staff would return to the Housing Policy Committee for further direction and to submit both processes concurrently.

Discussion ensued.

Ms. Shane responded to questions from the Board.

Supervisor Bass made a substitute motion and seconded by Supervisor Gray, to refer the proposed amendments to Ordinance amending Chapters 17.04, 17.65 and 17.66 of the County Ordinance Code relative to Inclusionary Housing and the proposed Resolution establishing incentives for Inclusionary Housing to the California Department of Housing and Community Development (HCD) for a determination of consistency with the Tuolumne County Housing Element, and if HCD determines that the proposal is in compliance, then the proposed amendments would be scheduled for consideration by the Planning Commissions for recommendation before being brought back to your Board for final adoption. If HCD does not approve the change, staff would return to the Housing Policy Committee for further direction.

Ms. Shane responded to questions from the Board.

Substitute Motion carried by 4-1 vote with Supervisor Hanvelt dissenting.

The Chair adjourned the meeting at 2:24 p.m., to the next regular meeting scheduled for August 7, 2012, at 9:00 a.m.

APPROVED:



RICHARD H. PLAND, CHAIR

ATTEST:



Alicia L. Jamar, Chief Deputy
Clerk of the Board of Supervisors

W:\MINUTES\MINUTES.12\M07-1712\M07-1712.wpd

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

ALICIA L. JAMAR
Clerk of the Board

By:

